



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 28 2016

CERTIFIED MAIL 7011 3500 0003 2064 3643
RETURN RECEIPT REQUESTED

Mr. Jerriot Smash
Interim Director
Department of Public Works
City of Jackson
P.O. Box 17
Jackson, Mississippi 39205-0015

Re: Water Quality Monitoring Program Comment Letter
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

The U.S. Environmental Protection Agency Region 4 has reviewed the Water Quality Monitoring Program document dated February 27, 2015. The EPA has the following comments:

1. For section 3.4 - Routine Water Quality (WQ) Monitoring Sampling Frequency, page 10. The City of Jackson (COJ) is proposing to establish routine water quality sampling frequencies at 25 locations by collecting samples on, or about the same date each month. The program does not provide for the establishment of baseline measurements for fecal concentrations at any of these sampling locations or for specific environmental conditions. A baseline dry weather WQ picture and a baseline wet weather WQ picture should be established so that the COJ can determine whether fecal levels are actually elevated during routine monitoring and investigative sampling. Baseline and routinely sampling intervals should be based on equivalent conditions (river levels, dry/wet weather seasons, after X amount of rainfall) for a given location so that the COJ can recognize elevated fecal levels, as opposed to normal background conditions. With continued improvements to the overall collection system, the City should see a downward trend of fecal concentrations in the baseline.
2. The last paragraph of section 3.4 states, "After two years of results..., the sampling frequency may be revised... Sampling may be discontinued..." The Consent Decree (CD) has specific requirements that must be maintained as a minimum (para 37.a of the CD).
3. Section 4.3 - Wet Weather Monitoring. The plan is to collect a wet weather sample after rainfall events of ½" or more within a 24 hour period. The COJ should consider adding language that will allow for adjustments. For instance, the baseline for any specific sampling point will likely vary by location, where one location may maintain a low fecal concentration up to 1" of rain, others may see elevated conditions at ¼" of rain, so each sampling location may require sampling based on different rain intervals. The COJ may consider adjusting the sampling criteria based on initial sampling results and trends in accordance with the Routine

WQ Monitoring sampling guidance (another reason to establish a baseline). The COJ may also want to establish more than one criteria for sampling based on specific watersheds or waterways. Once a baseline is established, the staff performing the sampling and data analysis should have a better idea when to perform investigative sampling.

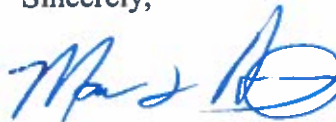
4. Section 7 - WQ Monitoring Program Implementation. The COJ should establish, by position, a person(s) responsible for running the program. The program document should also address the following (by position):
 - a. Who may authorize changes to the sampling locations?
 - b. Who creates and maintains the routine sampling schedule?
 - c. Who is authorized to change the routine schedule?
 - d. Who initiates the investigative sampling?
 - e. Where will the schedules and instructions for the program be maintained?
 - f. Who is responsible for taking the samples?
5. Figure 7.1 needs to be adjusted.

Please resubmit the document to include the following.

1. A description of how the City will establish a baseline measurement of fecal as discussed above.
2. Add to Section 3.4, "Sampling locations will be maintained at a minimum of 12 locations." Or something to that effect to reflect CD requirements.
3. Consider adding language to allow adjustments to the investigative wet weather sampling schedule.
4. Address #4 above.
5. Adjust Figure 7.1.

Please resubmit the Water Quality Monitoring Program document to reflect comments above within 60 days of receipt of this letter. If you have any questions, please contact Mr. Dennis Sayre at (404) 562-9756 or via email at sayre.dennis@epa.gov.

Sincerely,



Maurice L. Horsey, IV, Chief
Municipal & Industrial Enforcement Section
NPDES Permitting and Enforcement Branch

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mr. Terry Williamson
City of Jackson